

APPLICATION FOR TRANSFER OF/AMENDMENT TO CONDITIONAL USE PERMIT (ADMINISTRATIVE REVIEW)

\$135.00 APPLICATION FEE MUST ACCOMPANY APPLICATION

A Conditional Use Permit (CUP) is a permit to use a property for a specified purpose subject to conditions imposed by the Board of Aldermen.

When a business that operates under a CUP changes ownership, the existing CUP must be transferred to the new business owner (typically a corporation, Limited Liability Company (LLC)) etc. When a CUP is transferred, all existing conditions of the CUP remain in effect, unless the City is notified of requested revisions (i.e. days/hours of operation, etc.).

When a business owner desires to revise conditions contained in an existing CUP, an amendment to the CUP is required. Minor amendments (i.e. trade name change, change in days/hours of operation, etc.) can be approved administratively (without the need for Board of Aldermen approval). More substantial amendments (additional square footage/expansion of use, etc.) require approval by the Board of Aldermen.

Submission of this application is the first step in obtaining approval. Along with the completed application and application fee, the following items are required to be submitted:

- 1) A copy of the applicant's lease agreement(s);
- 2) If a new restaurant, a copy of the menu;
- 3) A scaled floor plan (if a restaurant, the floor plan must depict seating layout, kitchen layout and kitchen equipment schedule. Provide total square footage (excluding storage) and total number of seats);
- 4) Proof of off-street parking as required by Zoning (restaurants under 3,000 square feet located in the Central Business District

(CBD) are not required to provide off-street parking. Restaurants located outside the CBD, regardless of square footage, must provide off-street employee parking; over 3,000 square feet, patron parking must also be provided – see Title IV “Land Use Code”, Chapter 405 “Zoning Regulations”, Article XXV “Off-Street Parking and Loading Requirements” for further details.

Please note that the application must be signed by the property owner.

This application and corresponding documents should be submitted to the Department of Planning & Development Services, Clayton City Hall.

If the application is deemed to require City Plan Commission and/or Board of Aldermen approval, the applicant will be notified.

Separate permits will be required for new signage, awnings, exterior alterations, and outdoor dining.

If you have any further questions, please do not hesitate to contact the Department of Planning & Development Services at 290-8453.